

U.S. Patent Application Serial No. 10/584,329
Reply to OA dated June 30, 2008

REMARKS

Claim 2 has been amended in order to more particularly point out, and distinctly claim the subject matter which the Applicant regards as the invention. Claim 4 is amended to be in independent form so as to present Claims 4 and 8 in allowable form. Claims 1 and 5 are cancelled without prejudice or disclaimer. New Claims 9-11 are added. The Applicant respectfully submits that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated June 30, 2008.

In the Office Action, Claims 4 and 8 were indicated as allowable if rewritten in independent form including all the limitations of the base claim. As indicated above, it is believed that Claims 4 and 8 are in allowable form.

In the Office Action, Claims 1-3, 6 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Poggetti (DE 38 30 934 A1). Reconsideration and removal of this rejection is respectfully requested.

Regarding Claims 2, 3, 5, and 7, it is respectfully submitted that the configuration of the magnets on the work tool of Poggetti does not result in the magnets coming into abutment (contact) with each other with opposite poles facing each other, so as to attract each other.

In the configurations discussed in the Office Action at page 3, lines 1-11, opposite poles would face each other, however, they would be at a distance from each other and the magnetic attraction would be very weak.

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In the present application the magnets are shown in the figures to be in abutment with each other, and at least at page 13, lines 12-20 it is disclosed that the magnets "...come into abutment with each other when they are mounted with the opposite poles faced to each other ...".

Claim 2 is amended to define that the magnets come into abutment with each other.

In view of the above indicated amendments and remarks, removal of this rejection is respectfully requested.

Regarding new claims 9-11, it is respectfully submitted that Poggetti does not disclose or suggest the claimed work tool.

In view of the aforementioned amendments and accompanying remarks, Claims 2-4 and 6-11, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.


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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP


James N. Baker
Attorney for Applicant
Reg. No. 40,899

JNB/ak

Atty. Docket No. 060467
Suite 400
1420 K. Street, N.W.
Washington, D.C. 20005
(202) 659-2930



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